

10-15-04

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PATENTS
SSA/001 CON2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James K. Hamlin
Application No. : 10/677,397 Confirmation No.: 8870
Filed : October 1, 2003
For : SYSTEM AND METHOD FOR COMMUNICATING DATA
Group Art Unit : 2151
Examiner : Not Yet Assigned

Mail Stop: Amendment

Hon. Commissioner
for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

New York, New York
October 14, 2004

EXPRESS MAIL CERTIFICATION

Express Mail Label No. EV132185025US

Date of Deposit: October 14, 2004

I hereby certify that this certification and the following papers and fees:

1. Transmittal Letter (in duplicate);
2. Notice of Related Litigation;
3. Information Disclosure Statement;
4. PTO 1449 (in duplicate); and
5. Postcard.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop Amendment.

Name:


Claire J. Saintil-van Goodman

Express Mail Label: EV132185025US



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PATENT APPLICATION

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Commissioner for Patents
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INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R §§ 1.56 and 1.97, applicant hereby makes the following references of record in the above-identified application:

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The aforementioned references are listed on the accompanying Form PTO-1449 (submitted in duplicate). These references were previously cited by or submitted to the Patent Office in U.S. Patent Application No. 09/906,222, filed July 16, 2001, or in U.S. Patent Application No. 09/000,751, filed December 30, 1997 (now U.S. Patent No. 6,130,888), from which the present application claims priority under 35 U.S.C. § 120. Accordingly, pursuant to 37 C.F.R. § 1.98(d), no copies of the references accompany this Information Disclosure Statement.

It is respectfully requested that these patents and documents be: (1) fully considered by the Patent and Trademark Office during examination of this application; and (2) printed on any patent that may issue on this application. Applicant requests that a copy of Form PTO-1449, as considered and initialed by the Examiner, be returned with the next communication.

Applicant respectfully requests that the Examiner pay particular attention to the Prior Art Statement submitted by Corporate Express in a related litigation. This Prior Art Statement purports to be directed to the validity of the claims of the '888 patent with respect to numerous references.

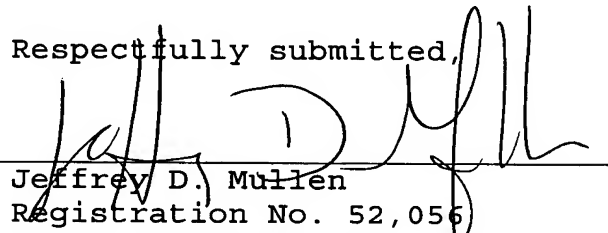
A number of non-confidential documents related to webMethod Inc's ActiveWeb system have previously been submitted. Additional ActiveWeb documents are being submitted herewith. The Prior Art Statement of Corporate Express refers to CD-ROMS containing several versions of software for the ActiveWeb system. The CD-ROMS were produced under an Attorneys' Eyes Only confidentiality designation.

The CD-ROMS were destroyed under a Protective Order that governed the suit. If the Examiner would like to examine the ActiveWeb software, the Examiner should notify applicant who will attempt to obtain copies from webMethod Inc. to be filed under seal.


This Information Disclosure Statement is submitted more than three months from the application filing date but before the mailing date of the first Office Action on the merits. In accordance with 37 C.F.R. § 1.97, submission of this Information Disclosure Statement requires no fee.

An early and favorable action is respectfully requested.

Respectfully submitted,



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FORM PTO-1449 	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT	ATTY. DOCKET NO. SSA/1 Con2	APPLICATION NO. 10/677,397
		APPLICANT Hamlin, James K.	CONFIRMATION NO. 8870
		FILING DATE 10/01/2003	GROUP 2151

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,598,404	07/01/1986	Perry et al.	371	49	
	4,642,758	02/10/1987	Teng	365	200	
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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant.

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	5,873,084	02/16/1999	Bracho et al.	707	10	
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						YES	NO
	EP 0 413 074 B1	02/20/1991	EPO	G06F	15/16		
	WO 97/37500	10/09/1997	PCT	H04Q	3/00		

EXAMINER

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		FILING DATE 10/01/2003	GROUP 2151
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